

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE UNITED STATES OF AMERICA :

v. : MAGISTRATE NO. 18-730-M

TONG WU

MOTION TO DISMISS COMPLAINT AND WARRANT

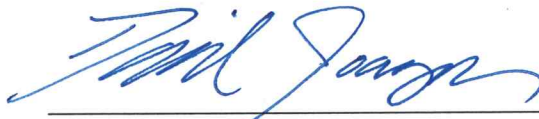
The United States of America, by its attorneys,
Jennifer A. Williams, Acting United States Attorney for the
Eastern District of Pennsylvania, and David Joanson, a Special
Assistant United States Attorney for the District, respectfully
moves this Court to dismiss the Complaint and Warrant in the
above entitled case and in support of this Motion avers:

1. On May 7, 2018, an arrest warrant, charging
defendant TONG WU with Unlawful Flight to Avoid Prosecution, in
violation of Title 18, United States Code, Section 1073, was
issued by the Honorable Lynne A. Sitarski, United States
Magistrate Judge, Eastern District of Pennsylvania.

2. Following an exhaustive manhunt for WU, WU was located in China, but the United States and China do not share an extradition treaty. Members of Chinese law enforcement agreed to review evidence against WU and possibly prosecute WU in China. However, the Philadelphia District Attorney's office denied the request. Due to the aforementioned facts and other investigative priorities, the Federal Bureau of Investigation will be closing their fugitive investigation into locating WU and as such, the Government is dismissing the Unlawful Flight to Avoid Prosecution warrant.

Respectfully submitted,

Jennifer A. Williams
Acting United States Attorney



David Joanson
Special Assistant United States
Attorney

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE UNITED STATES OF AMERICA :

v. : MAGISTRATE NO. 18-730-M

TONG WU

O R D E R

AND NOW, this 17th day of August, 2021, upon
consideration of the within Motion, it is hereby

ORDERED

that the Complaint and Warrant charging the defendant with a
violation of Title 18, United States Code, Section 1073 be and
the same is hereby dismissed.

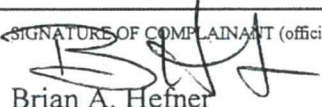
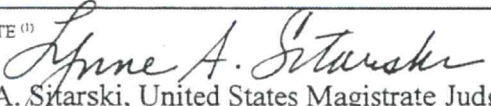
BY THE COURT

s/Richard A. Lloret

Richard A. Lloret
UNITED STATES MAGISTRATE JUDGE

CRIMINAL COMPLAINT

USAO EDPA 18-049

United States District Court		DISTRICT Eastern District of Pennsylvania	
UNITED STATES OF AMERICA v. Tong Wu		DOCKET NO.	
		MAGISTRATE'S CASE NO. 18-730-M	
Complaint for violation of Title 18 United States Code § 1073			
NAME OF JUDGE OR MAGISTRATE Honorable Lynne A. Sitarski		OFFICIAL TITLE U.S. Magistrate Judge	LOCATION Philadelphia, PA
DATE OF OFFENSE March 26, 2018	PLACE OF OFFENSE Philadelphia, PA	ADDRESS OF ACCUSED (if known) 1023 Arch Street, Philadelphia, PA (Previous Known Address)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:			
<p>On or about March 26, 2018, in Philadelphia, in the Eastern District of Pennsylvania, defendant Tong Wu, did unlawfully travel in interstate commerce from Philadelphia, Pennsylvania, to the state of New Jersey, to avoid prosecution for homicide, which crime is a felony under the laws of the Commonwealth of Pennsylvania in violation of Title 18 United States Code, Section 1073.</p> <p>In addition, on or about April 19, 2018, defendant Tong Wu did unlawfully travel in interstate commerce from the United States of America, to Tijuana, Mexico and boarded a flight bound for Peking, China.</p>			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:			
SEE AFFIDAVIT ATTACHED HERETO.			
MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED:			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.		SIGNATURE OF COMPLAINANT (official title)  Brian A. Hefner	
		OFFICIAL TITLE Special Agent, Federal Bureau of Investigation	
Sworn to before me and subscribed in my presence.			
SIGNATURE OF MAGISTRATE (1)  Honorable Lynne A. Sitarski, United States Magistrate Judge		DATE 5/7/2018	

1) See Federal Rules of Criminal Procedure rules 3 and 54.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

WARRANT FOR ARREST

Tong Wu

CASE NUMBER: 18-730-M

To: The United States Marshal and any Authorized
United States Officer

YOU ARE HEREBY COMMANDED to arrest Tong Wu

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation notice ☐ Probation violation
petition

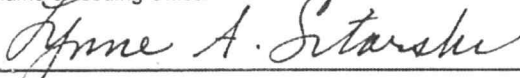
charging him or her with (brief description of offense)

Unlawful Flight to Avoid Prosecution for a homicide in violation of Title 18, United States Code,
Section 1073, as more fully set forth in the attached complaint.

In violation of Title 18 United States Code, Section(s) 1073

Honorable Lynne A. Sitarski

Name of Issuing Officer



Signature of Issuing Officer

United States Magistrate Judge

Title of Issuing Officer

Philadelphia, PA

Date and Location

Bail fixed at \$ _____ by _____
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

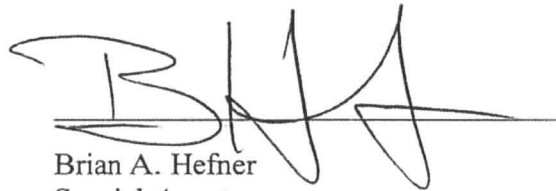
SIGNATURE OF ARRESTING OFFICER

Brian A. Hefner, Special Agent,
Federal Bureau of Investigation

DATE OF ARREST

D Joanson Authorizing

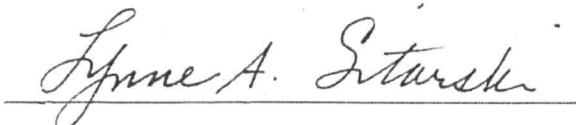
1. On March 26, 2018, the Philadelphia Police Department responded to 1023 Arch Street, Philadelphia Pennsylvania for a report of a person with a weapon. Upon arrival the Philadelphia Police were directed to the victim, who was observed at the bottom of the basement steps. The victim had visible stab/puncture wounds to his lower torso, one to the left flank and the second to the mid-lower back. The victim was pronounced dead on the scene at 6:02 a.m.
2. As a result of their investigation, the Philadelphia Police Department's Homicide Unit determined Tong Wu was responsible for the above stabbing. On March 26, 2018, the Homicide Unit obtained an arrest warrant for Tong Wu, issued in the Commonwealth of Pennsylvania, charging him with murder and possessing an instrument of crime. See attached arrest warrant.
3. On or about March 27, 2018, the Philadelphia Police Department asked for FBI assistance in locating and arresting Wu. Attempts to locate and arrest Wu were made with negative results.
4. On or about April 19, 2018, Philadelphia Police Detective, Timothy Bass, assigned to the Homicide Unit, received information from Homeland Security that Wu had boarded a flight in Tijuana, Mexico on the morning of April 19, 2018 with a destination of Peking, China. Based on information provided by Homeland Security, flight records were reviewed and it was verified that Wu had boarded a one way flight on Hainan Airlines flight 7926 on April 19, 2018 bound for Peking, China with an arrival date of April 20, 2018.
5. Due to the above facts, your affiant believes Tong Wu has fled the Eastern District of Pennsylvania, in violation of Title 18 United States Code Section 1073.



Brian A. Hefner
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me

this 7th day of May, 2018



Lynne A. Sitarski
United States Magistrate Judge

Commonwealth of Pennsylvania
Philadelphia Municipal Court

County of: Philadelphia
First Judicial District



WARRANT OF ARREST

Original

COMMONWEALTH OF PENNSYLVANIA
v.
TONG WU

Issuing Authority

AC Magistrate JANE RICE

Defendant's Address(s):

1023 Arch ST Philadelphia, PA 19106

Citation/Complaint No : COM-0001502-2018

Docket No :

Warrant Control No : WAR-0001502-2018

Date Citation/Complaint Filed : 03/26/2018

Charge(s):

Code	Grade	Description	Count
CC2502	H	MURDER	1
CC0907	M1	PIC	1

Additional charges, if any, are listed on separate page

DESCRIPTIVE INFORMATION:

Social Security Number:

Sex: Male

Date of Birth: 04/15/1994

Telephone Number: (215)000-0000

Age: 23

Height: 5'11

Weight: 230

Race: Asian or Pacific Islander

Eye Color: Brown

Hair Color: Black

Distinguishing features (scars, tattoos, facial hair, disability, etc):

Suspect has a Chinese Passport. The passport ID number is as follows: E17961797. He has a Date of birth of 04/15/1994

Alias(es):

TO POLICE OFFICER:

In the name of the Commonwealth of Pennsylvania, you are commanded to take **TONG WU**,
the defendant, into custody for 114 Criminal homicide by willful killing, murder & non-negligent manslaughter by knife or cutting instrument
sued under my hand this 26 day of March, 2018

Signature Issuing Authority

